

Appl. No. 10/021,896
Amdt. dated December 19, 2003
Reply to Office Action of June 27, 2003

REMARKS/ARGUMENTS

In the Office Action, claims 9, 11-15 and 17-20 were finally rejected under 35 USC 102(b) as being unpatentable by USPN 4,380,043 to Takamatsu et al (hereinafter Takamatsu) for the reasons stated in the Office Action.

Claim 16 was finally rejected under 35 USC 103(a) as unpatentable over Takamatsu in view of USPN 6,224,221 to Glienicke on grounds set forth in the Office Action.

The subject matter of amended claim 9 is novel, not anticipated and not obvious with respect to all the cited art.

In Takamatsu (US 4,380,043) and Levesque (US 2,536,557) light is led from surrounding parts of the drive shaft of the lower pointer to surrounding parts of the drive shaft of the upper pointer.

There is not one single suggestion or hint in the cited references, including Glienicke, of structure which leads the light as claimed in amended claim 9.

By amended claim 9 it is possible to use the drive shaft itself to lead the light and to position the light source for the illumination in an axial direction of the drive shaft which leads the light as shown in the example of the present patent application.

All other references with multiple illuminated pointers illuminate these pointers with a light source not located in an axial direction, but away from the axis of rotation.

For these reasons amended claim 9 and new claims 21 and 22 (disclosed on page 6 of the specification) as well as all remaining claims which are dependent directly or indirectly on claim 9 should be allowable.

In the event there are further issues remaining in any respect the Examiner is respectfully requested to telephone attorney to reach agreement to expedite issuance of this application.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Since the present claims set forth the present invention patentably and distinctly, and are not taught by the cited art either taken alone or in combination, this amendment is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, enter this amendment, and to allow all of the claims in this case.

Respectfully Submitted
Herbert Breinhich, et al

by:

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the accompanying Amendment Upon Final Rejection is being facsimile transmitted to the Patent Office on December 22, 2003.

Signed by Martin A. Farber

Dated: December 22, 2003
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